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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/193,249	11/17/1998	FRANK C. CHESTON III	20107-429	1796

32127 7590 03/24/2005

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/193,249

Applicant(s)

CHESTON ET AL.

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-23, 25-31 and 33-42 is/are rejected.
- 7) ☒ Claim(s) 10, 24, 32 and 43 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim(s) Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claim(s) 1-2, 15-16, 21, 25-27, 30-31 and 33-37** are rejected under 35 U.S.C. 102(e) as being anticipated by Dahlén (US 5,870,454).

Regarding **claim(s) 1**, Dahlén discloses a voice-responsive messaging system (column 1, lines 42-49), comprising:

a voice processing unit configured for recording a destination party identity and a destination address type, spoken by calling party, for a corresponding message (FIG. 1 and column 5, lines 36-67) [The prompter and collector 70 requests from the calling party 22 a destination identifier and a destination type];

a speech recognition unit for outputting data corresponding to identified words spoken by the calling party (FIG. 1 and column 4, lines 10-16) [The speech recognition prompter and collector 72 conduct a dialog with the calling party 22 to identify words spoken by the calling party 22];

a master control unit configured for generating a destination address query for an identified directory database in response to identification of the destination party identity and the destination address type by the speech recognition unit, wherein the master control unit, in response to receiving a destination address reply from the identified directory database, selectively initiates a transfer of the corresponding message to the destination party based on the destination address reply (FIG. 1 and column 7, line 58 to column 8, line 2) [The service data point 50 checks the destination party and the destination address to be used to transmit the voice message from the calling party 22 to the receiving equipment based on the destination type selected by the calling party 22].

Regarding **claim(s) 2**, Dahlén discloses a signaling network interface for sending the destination address query to the identified directory database, and for receiving the destination address reply from the identified directory database, via an interoffice signaling network configured for exchanging data between the voice-responsive messaging system and the identified directory database (column 2, lines 42-51).

Regarding **claim(s) 15**, Dahlén discloses the master control unit is configured for initiating a second destination address query for a second identified directory database in response to the destination address reply from the identified directory database (column 4, lines 63-67).

Regarding **claim(s) 16**, Dahlén discloses all the limitations of **claim(s) 16** as stated in **claim(s) 1**'s rejection and furthermore Dahlén discloses a central office switching system (SSP 30 on FIG. 1), a unified message platform system (Prompter and Collector 70 on FIG. 1), a directory database (SDP 50 on FIG. 1), and a data network for transporting the destination address query and the directory response between the unified message platform system and the directory database according to a prescribed data network protocol (column 8, lines 15-29) [The data network 100G transport the text message to the receiving equipment according to the protocol data network of the packet switching X.25].

Regarding **claim(s) 21**, Dahlén discloses a local directory database for storing, for each subscriber of the unified message platform system, a destination party identity, a destination address, and a message type corresponding to the destination address (column 5, lines 53-67); and

a master control unit configured for outputting the destination address query to the directory database via the data network based on a detected absence of the destination party identity in the local directory database (column 5, lines 53-67).

Regarding **claim(s) 25**, Dahlén discloses a method in a switched communications network (column 1, lines 42-49), the method comprising:

connecting a calling party via a line-sided connection to an originating central office switching system serving the calling party (FIG. 1 and column 3, lines 1-15) [The SSP 30 connects the calling party 22 via voice and data links for call];

processing speech samples spoken by the calling party on the line-sided connection to identify a destination party and a destination address type, the destination address type corresponding to a destination address to be utilized by the calling party for access the destination party (FIG. 1 and column 5, lines 36-67) [The prompter and collector 70 requests from the calling party 22 a destination identifier and a destination type and process the information using the speech recognition system 72].

accessing a directory database via a data network for retrieval of the destination address corresponding to the destination party and the destination address type (column 8, lines 15-29) [The data network 100G transport the text message to the

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receiving equipment according to the protocol data network of the packet switching X.25 and the destination information selected by the calling party 22].

Regarding **claim(s) 26**, Dahlén discloses forwarding a message to a destination system corresponding to the destination address according to a data protocol corresponding to the destination address type (column 7, lines 58-65).

Regarding **claim(s) 27**, Dahlén discloses determining an identifier for the directory database, the accessing step including accessing the directory database based on corresponding identifier (column 7, lines 34-44).

Regarding **claim(s) 30**, Dahlén discloses identifying a destination directory database based on identification for speech samples spoken by the calling party on the line-sided connection (column 3, lines 1-15); and

accessing a database for retrieval of a network address for the destination directory database, the step of accessing the directory database including accessing the directory database based on the network address retrieved from the database (column 3, lines 16-27).

Regarding **claim(s) 31**, Dahlén teaches the step of identifying the destination directory database includes selecting from a group of available directories (column 4, lines 40-49).

Regarding **claim(s) 33**, Dahlén discloses the destination address query and the directory response is each transported via the data network as TCAP query and TCAP response messages, respectively (column 3, lines 16-27).

Regarding **claim(s) 34**, Dahlén discloses the destination address query and the directory response is each transported via the data network according to TCP/IP protocol (column 3, lines 16-27).

Regarding **claim(s) 35**, Dahlén discloses all the limitations of **claim(s) 35** as stated in **claim(s) 1 and 16**'s rejection above.

Regarding **claim(s) 36**, Dahlén discloses the directory access system includes a master control unit configured for generating a destination address query for an identified directory database in response to identification of the destination party and the destination address type by the speech recognition unit, wherein the master control unit, in response to receiving a destination address reply from the identified directory database, selectively initiates a transfer of a message to the destination party based on the destination address reply (column 7, lines 58-65).

Regarding **claim(s) 37**, Dahlén discloses a signaling network for transporting signaling messages, the directory access system comprising a signaling network interface for sending the destination address query to the identified directory database,



and for receiving the destination address reply from the identified directory database, via an interoffice signaling network configured for exchanging data between the voice-responsive messaging system and the identified directory database (column 8, lines 15-29).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claim(s) 3-9, 11-14, 22-23 and 38-42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dahlén in view of Jones et al. (U S 5,193,110).

Regarding **claim(s) 3**, Dahlén as applied to **claim(s) 2** above differs from **claim(s) 3** in that it fails to disclose a plurality of processing units and a digital switching system for switching calls between an assigned Multi-Line Hunt Group.

However, Jones teaches a plurality of processing units, each configured for storing and processing a message for the calling party having a corresponding message type (30-30n on FIG. 1); and

a digital switching system (26 on FIG. 1) for switching calls between an assigned Multi-Line Hunt Group (46 on FIG.2) and a selected one of the processing units (44 on FIG. 2), the master control unit selectively causing the digital switching system to establish a line-sided connection between the selected one processing unit and the calling party for retrieval of the message for the calling party (column 4, lines 32-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a plurality of processing units of Jones in the invention of Lemelson.

Doing so the system provider would search the directory on more than one processing units.

Regarding **claim(s) 4**, Jones teaches the selected one processing unit forwards the message to a destination address specified in the destination address reply in response to a forward command from the calling party (column 4, lines 50-52).

Regarding **claim(s) 5**, Jones teaches the selected one processing unit supplies the message to the destination address according to a corresponding message type protocol (column 4, lines 52-58).

Regarding **claim(s) 6**, Dahlén discloses a local directory database for storing, for each subscriber of the voice-responsive messaging system, a destination party identity, a destination address, and a message type corresponding to the destination address (column 3, lines 16-27).

Regarding **claim(s) 7**, Dahlén discloses the local database stores a plurality of message types having respective destination addresses (column 3, lines 16-27).

Regarding **claim(s) 8-9**, Dahlén discloses the message types include a voicemail message type, an e-mail message type, and a facsimile message type (column 5, lines 53-67).

Regarding **claim(s) 11**, Dahlén discloses a network interface configured for sending and receiving at least one of the destination address query and the second destination address query to the respective directory databases via a data network (column 8, lines 15-29).

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Regarding **claim(s) 12**, Dahlén discloses the data network is the Internet (column 8, lines 15-29).

Regarding **claim(s) 13**, Dahlén discloses the master control unit outputs, via the data network, security information to at least one of the directory database and the second directory database in response to reception of a security inquiry from the corresponding directory database (column 8, lines 15-29).

Regarding **claim(s) 14**, Dahlén discloses at least one of the processing units include a network interface for communication with a packet switched network (column 8, lines 15-29).

Regarding **claim(s) 22**, Jones teaches the unified message platform system further includes a plurality of processing units, each configured for storing and processing a message for each said subscriber according to a corresponding subscriber destination address and according to a corresponding message type (column 5 lines 18-23).

Regarding **claim(s) 23**, Dahlén discloses the master control unit sends a message selected by the calling party from the corresponding processing unit to the destination address corresponding to the destination party identity (column 7, lines 58-65).

Regarding **claim(s) 38**, Jones teaches a plurality of processing units, each configured for storing and processing a message for the calling party having a corresponding destination address type (44 on FIG. 2); and

a digital switching system (26 on FIG. 1) for switching calls between an assigned Multi-Line Hunt Group (46 on FIG. 2) connected to the central office switching system and a selected one of the processing units (30n on FIG. 1), the master control unit selectively causing the digital switching system to establish a line-sided connection between the selected one processing unit and the calling party for retrieval of the message for the calling party (column 5 lines 18-23).

Regarding **claim(s) 39**, Jones teaches the selected one processing unit forwards the message to a destination address specified in the destination address reply in response to a forward command from the calling party (column 4, lines 50-52).

Regarding **claim(s) 40**, Jones teaches one of the processing units supplies a destination address retrieved from the directory response based on the corresponding message type (S3, S4, S6, S8 and S13 on FIG.5).

Regarding **claim(s) 41**, Dahlén discloses comprising a local directory database for storing (16 on FIG.1), for each subscriber of the voice-responsive messaging system, a destination party identity, a destination address, and a destination address type corresponding to the destination address (column 3, lines 16-27).

Regarding **claim(s) 42**, Dahlén discloses the local database stores a plurality of destination address types having respective destination addresses (column 4, lines 40-49).

7. **Claim(s) 17-20 and 28-29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dahlén in view of Lennig et al. (US 5,479,488).

Regarding **claim(s) 17**, Dahlén as applied to **claim(s) 16** above differs from **claim(s) 17** in that it fails to disclose a null result in the directory response.

However, Lennig teaches the directory database selectively supplies one of an identified destination address and a null result in the directory response in based on executing the destination address query (column 7, lines 17- 28).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a null result in the directory response of Lennig in the invention.

The modification of the invention will offer the capability of a null result in the directory response such as the system would deliver the message to the appropriate message system.

Regarding **claim(s) 18**, Dahlén discloses the unified message platform system selectively sends a message, selected by the calling party, to the identified destination

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address in response to reception of the corresponding directory response (column 7, lines 58-65).

Regarding **claim(s) 19**, Dahlén discloses the destination address query and the directory response is each transported via the data network as TCAP query and TCAP response messages, respectively (column 3, lines 16-27).

Regarding **claim(s) 20**, Dahlén discloses the destination address query and the directory response is each transported via the data network according to TCP/IP protocol (column 3, lines 16-27).

Regarding **claim(s) 28**, Lennig teaches the identifier corresponds to at least one of a personal directory for the calling party, a public directory having a listing for the destination party, and a private directory serving the destination party (column 7, lines 17-47).

Regarding **claim(s) 29**, Lennig teaches the private directory corresponds to one of a corporate directory listing the destination party as an employee, and a subscriber directory listing the destination party as a subscriber (column 7, lines 35-37).

***Allowable Subject Matter***

8. **Claim(s) 10, 24, 32 and 43** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

9. Applicant's arguments with respect to **claim(s) 1-9, 11-23, 25-31 and 33-42** have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

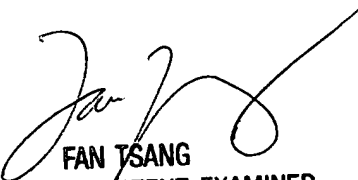
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**GERALD GAUTHIER**  
**PATENT EXAMINER**

g.g.  
March 8, 2005

  
**FAN TSANG**  
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**TECHNOLOGY CENTER 2600**